

Application number: 09/396005

Art Unit: 3621

Applicant: Khai Hee Kwan

Examiner: James A Reagan

Title: Method, apparatus and program to make payment in any currencies through a communication network system using prepaid cards

Remarks

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The applicant respectfully ask the examiner to consider the above amended claims for RCE application dated 4 Dec 2005. In addition to satisfying the compliant requirement, the applicant has also added claims 44-47. The additional cost for Claim 47 being an independent claim has been paid on Feb 7 2006.

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The reason for claim 44-46 is to include the point of sale terminal. Antecedent for this could be found in page 19 line 19 (originally filed) and quoted below:

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To ensure further security, it is still an object of this invention to incorporate a point of sale terminal to include a database use to keep track of the cards sold, the amount, the time of sale and deactivation of a particular card. The point of sale terminal can also accept payment and make payment since it has a direct credit or debit facility linked to its account in the system.

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The reason for claim 47 is to suggest to the examiner a possible interference under 37 CFR 41.202 Suggesting an interference or see MPEP 2304.02.

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1. The patent with which the applicant seeks an interference is Woodhill (US Pat 6934858 claiming earliest filing date Dec 15, 1999)

2. The applicant identifies Claim 55 of Woodhill (US Pat 6934858) being the broadest. It is also noted from the prosecution history that Claims 55 to 59 of Woodhill was added in reference to additional matter in the specification dated Oct 25, 2004.

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3.

09/396005 Claim 47-BODY ONLY	Woodhill (US Pat 6934858) Claim 55
establishing a first communications channel via a computer network between an individual at a location and a provider of at least one of a product or service;	establishing a first communications channel via a computer network between an individual at a location and a provider of at least one of a product or service;
transmitting at least an authentication indicium from the provider to the individual, using the first communications channel;	transmitting at least an authentication indicium from the provider to the individual, using the first communications channel;
	retrieving an address of the individual for establishing a second communications channel via a different network;
initiating communications, via the different network, with the individual; and	initiating communications, via the different network, with the individual at the address;
returning the indicium, via the different network, for comparison to the transmitted indicium.	returning the indicium, via the different network, for comparison to the transmitted indicium, and, where substantially indential, providing an authenticated indicium to the provider.

- 5 4. The applicant's 09/396005 has a US filing date of Sept 13-1999 and claims priority from an Australian application (AU 199943506 A1) filed Aug 11 1999. In addition, during the prosecution of 09/396005, the applicant has provided evidence to show that

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constructive reduction to be around May 1999. (See our submission dated May 16 2003 of this prosecution).

5.

09/396005 Claim 47-BODY ONLY	Evidence from Specification as FILED
establishing a first communications channel via a computer network between an individual at a location and a provider of at least one of a product or service;	see page 7 line 13 to line 20.
transmitting at least an authentication indicium from the provider to the individual, using the first communications channel;	One set of these codes is sent by the merchant system to the buyer in the form of an encrypted email and another to the host computer. For anonymous payment, on receiving this code, the buyer has to log onto the
initiating communications, via the different network, with the individual; and	World-Wide-Web site of this Invention (the host computer) to input this code which usually has a timed life. This code will be analysed and matched to
returning the indicium, via the different network, for comparison to the transmitted indicium.	the merchant's code and the details of the purchase will be shown for verification. Alternative if he/she has an account or call a special number and follow the instructions to complete the purchase.

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Also See page 8 line 5 – 10 :

Even the email is intercepted, the code is encrypted and of little use. Up

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to the point where the codes are physically inputted back using computer keyboard or telephone pad and transmitted to the host computer, it has no value at all. For account users, a safety feature here is that only buyers can logon to complete the transaction as the password, computer IP address
5 and telephone number are recorded as well.

6. Constructive reduction is only found in our write up with the original draft (2nd draft) dated 10 May 1999 as submitted to USPTO – mailed May 16 2003 (in PAIR record).

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Total Claims is now 20 with 5 independent and 15 dependent. Because Claim 47 is an independent claim, payment of US 100 through PTO 2038 was included previously on Feb 7, 2006. Where restriction or election is required, the applicant proposed to prosecute all existing claims except for claim 47.

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